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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/589,052
	Filing Date	August 10, 2006
	First Named Inventor	Kambiz Shekdar
	Art Unit	1639
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	CHROMO/003

ENCLOSURES <i>(Check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Preliminary Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> Response to Notification of Missing Requirements Under 35 U.S.C. § 371 <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Sequence Listing (paper and CRF versions); 2) Statements Under 37 C.F.R. §§ 1.821 (f) and 1.821 (g); 3) Declarations by Kambiz Shekdar and Dennis J. Sawchuk; and Declaration by Jason M. Montez; 4) Copy of Notification of Missing Requirements Under 35 U.S.C. § 371; and 5) Return Receipt Postcard.
Remarks The Director is hereby authorized to charge payment of any fees required in connection with filing of these papers to Deposit Account No. 06-1075, Order No. 002298-0003.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Ropes & Gray LLP		
Signature			
Printed name	Jane T. Gunnison		
Date	September 8, 2008	Reg. No.	38,479

CERTIFICATE OF EXPRESS MAIL – EXPRESS MAIL LABEL NO. EM 136409894 US			
I hereby certify that this correspondence is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:			
Signature			
Typed or printed name	SARAH SCHLIE	Date	September 8, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kambiz Shekdar et al.
Application No. : 10/589,052
Filed : August 10, 2006
For : METHODS AND MATERIALS USING SIGNALING
PROBES
Group Art Unit : 1639
Examiner : Not Yet Assigned

New York, New York 10036
September 8, 2008

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Sir:

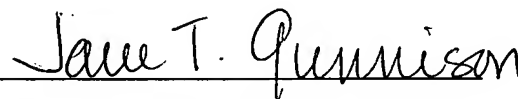
This responds to a July 9, 2008 Notification of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) (hereinafter "Notification") in the above-identified application. A copy of the Notification is enclosed herewith. A response is due on or before September 9, 2008. Thus, this response is timely filed.

The Notification states that an oath or declaration of the inventor, in compliance with 37 C.F.R. § 1.497(a) and (b), must be furnished in order to complete the requirements for acceptance under 35 U.S.C. § 371. Accordingly, applicants enclose herewith a Declaration executed by inventors Kambiz Shekdar and Dennis J. Sawchuk, and a Declaration executed by inventor Jason M. Montez.

The Notification also states that the application fails to comply with the requirements of 37 C.F.R. § 1.821-1.825 and must provide (1) an initial computer readable form (CRF) copy of the Sequence Listing; (2) an initial paper copy of the Sequence Listing; (3) an amendment directing its entry into the application; and (4) a statement under 37 C.F.R. §§ 1.821(f) and 1.821(g). Applicants enclose herewith all of the required items.

Finally, the Notification states that an application size fee of \$260 is required because the specification and drawings exceed 100 pages. The Director is hereby authorized to charge the \$260 fee, as well as any additional fees, or credit any overpayment, in connection with this response, to Deposit Account No. 06-1075 (Order No. 002298-0003).

Respectfully submitted,



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U.S. APPLICATION NUMBER NO. 10/589,052	FIRST NAMED APPLICANT Kambiz Shekdar	ATTY. DOCKET NO. Chromo/3
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1473

ROPES & GRAY LLP
PATENT DOCKETING 39/361
1211 AVENUE OF THE AMERICAS
NEW YORK, NY 10036-8704

RECEIVED**JUL 14 2008**

ROPES & GRAY LLP - PATENT DEPT.
REFERRED TO ML
NOTED BY ML

INTERNATIONAL APPLICATION NO. PCT/US05/05080	
I.A. FILING DATE 02/17/2005	PRIORITY DATE 02/18/2004

CONFIRMATION NO. 5470
371 FORMALITIES LETTER



Date Mailed: 07/09/2008

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 08/10/2006
- Copy of the International Search Report filed on 08/10/2006
- Preliminary Amendments filed on 08/10/2006
- Information Disclosure Statements filed on 06/13/2008
- Small Entity Statement filed on 08/10/2006
- Request for Immediate Examination filed on 08/10/2006
- U.S. Basic National Fees filed on 08/10/2006
- Specification filed on 08/10/2006
- Claims filed on 08/10/2006
- Abstracts filed on 08/10/2006
- Drawings filed on 08/10/2006

File No.: Chromo/003
Action Desc.: Declaration Due
Due Date: Sept 9, 2007
By: ML

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$260 for a Small Entity:

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter,

- as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
 - The specification and drawings contain more than 100 pages. Applicant owes \$260 for 87 pages in excess of 100 pages for a small entity in compliance with 37 CFR 1.27.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206